



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JIAXING LEADOWN FASHION CO. LTD.,

Plaintiff,

- against -

LYNN BRANDS LLC et al,

Defendants.
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21-CV-0976 (VM) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

On June 23, 2023, the Court issued an order for Plaintiff Jiaxing Leadown Fashion Co. Ltd. to appear at a hearing scheduled for August 1, 2023, at 2:30 p.m., and show cause why its counsel Kevin Kerveng Tung, P.C. should not be permitted to withdraw. (Dkt. 56.) The show cause order provided Plaintiff with an opportunity to file a written response by July 20, 2023. The show cause order also warned Plaintiff that if the motion is granted, it will need to appear within 30 days by counsel and that failure to do so will result in dismissal for failure to prosecute. On June 29, 2023, Plaintiff's counsel filed a declaration of service of the order having been effected on June 27, 2023. (Dkt. 57.) Plaintiff neither filed a written response nor appeared for the hearing. Having reviewed Plaintiff counsel's declaration in support of withdrawal, the Court finds that withdrawal is warranted due to Plaintiff's lack of cooperation, inadequate communication, and failure to pay for services rendered. Accordingly, as directed at the show cause hearing:

1. Plaintiff's counsel's motion to withdraw is hereby GRANTED.
2. Plaintiff must appear by counsel by September 1, 2023.

3. In the event Plaintiff fails to appear by counsel by September 1, 2023, the case will be dismissed for failure to prosecute.

4. The case is otherwise stayed until September 1, 2023.

5. By August 3, 2023, Plaintiff's counsel shall serve a copy of this order consistent with prior service and shall file proof of service by August 7, 2023.

SO ORDERED.



ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: August 1, 2023
New York, New York

Copies transmitted to all counsel of record.